IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Crl.Rev.Pet.No. 2133 of 2007()

CRA.525/2006 of SESSIONS COURT, KOLLAM
CC.970/2003 of JUDL.MAGISTRATE OF FIRST CLASS-I, KOLLAM

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REVN. PETITIONER: APPELLANT/ACCUSED

K.DAMODARAN, S/O KRISHNAN,
NEDIYAVILA PUTHEN VEEDU, PUNUKKANNOOR,
PERUMPUZHA P.O., KOLLAM.

BY ADV. SRI.J.DEVADANAM
SRI.VINOD J.DEV
SRI.PRAMOD J.DEV

RESPONDENTS:

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1. SUBASH, S/O SUKUMARAN,
THAMPURU HOUSE, CHITTUMALA, EAST KALLADA P.O.,
KOLLAM.

2. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 2133 OF 2007

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Dated this the 1st day of June 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a compensation of Rs.70,000/- vide Section 357(3) Cr.P.C and in default to undergo simple imprisonment for two months.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before Judicial First Class Magistrate, Kollam on 01.12.2007 to receive sentence. Non bailable warrant pending if any shall be kept in abeyance till then.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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